



Freedom of Information Request: Misconduct

Thank you for your email in which you requested the following information:

1. How many of your staff have been accused of a) sexual misconduct, or b) other professional misconduct in the workplace since 1st January 2021?
2. How many of your staff have been disciplined for a) sexual misconduct, or b) other professional misconduct in the workplace since 1st January 2021?

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

- know whether we hold the information you require
- be provided with that information (subject to any exemptions under the Act which may apply).

We can confirm that no staff have been disciplined or accused of sexual misconduct since the Trade Remedies Authority (TRA) was established on 1st June 2021. The number of allegations and disciplinary action taken against staff for other professional misconduct in the TRA is less than 5.

We are unable to provide the exact numbers in response to 1b) and 2b) because to do so would breach the data protection principles. Section 40(2) of the Freedom of Information Act (as outlined below) exempts personal data if disclosure would breach the data protection principles. In this case, we consider that providing the exact figures (being less than 5) together with other information would enable identification of personal data.

S40(2) (personal information)

Section 40(2) of the Act provides an absolute exemption for personal data which then falls to be dealt with under the Data Protection Act. The exemption is designed to address the tension between public access to official information and the need to protect personal information. Personal data of third parties can only be disclosed in accordance with the data protection principles. In particular, the first data protection principle requires that disclosure must be fair and lawful and must comply with one of the conditions in Schedule 2 of the Data Protection Act. We do not consider that the disclosure of the exact figure in response to your request to be fair and lawful processing of the information and so this information is being withheld.

Appeals procedure

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be addressed to Knowledge and Information Management:

Knowledge and Information Management
Trade Remedies Authority
4th Floor, Northgate House
21-23 Valpy Street
Reading
London
RG1 1AF

Email: InformationRights@traderemedies.gov.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Yours sincerely,

Trade Remedies Authority

E: InformationRights@trade.remedies.gov.uk